

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.4735 of 2008
DAMODAR SINGH
Versus
STATE OF BIHAR

Cr.Misc. No.18916 of 2008
BHUTA SINGH @ SHIVJEE SINGH @ BHUTTA SINGH
Versus
STATE OF BIHAR

5. 27.08.2008 No one appears on behalf of the petitioner in Cr. Misc. No. 4735 of 2008. On the last occasion also no one had appeared when the Court had passed over the matter suo motu. Cr. Misc. No. 4735 of 2008 is, therefore, dismissed for non-prosecution.

The report called for from the court below with regard to the progress of the trial states that despite summons and warrants of arrest, neither the Superintendent of Police, Jamui nor the Officer Incharge of the concerned Police Station were responding by ensuring compliance of the same.

Let the Superintendent of Police, Jamui file an affidavit affirmed by himself of the steps taken by him or the Officer Incharge concerned for service of summons and execution of warrants issued by the court for production of witnesses. The affidavit must also explain the reasons for non-compliance of the requisitions made by the Court.

Let such affidavit be filed by 3rd of September, 2008 considering that the petitioner continues in custody when the prosecution witnesses are not forthcoming to depose in the trial.

AKS/

(Navin Sinha, J.)